IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

Bail Appl..No. 7156 of 2007()

CRIME NOT REGISTERED

PETITIONERS

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1. AJITH VARGHESE, AGED 40 YEARS,
   S/O. B.K.VARGHESE, B-2, A AND B, KONAK
   INDRAPRASTHA, P.K.ROAD, MULUND (WEST),
   MUMBAI-400 080.

2. PENNAMMA VARGHESE, AGED 65 YEARS,
   W/O. B.K.VARGHESE, B-2, A AND B, KONAK
   INDRAPRASTHA, P.K.ROAD, MULUND (WEST),
   MUMBAI-400 080.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
   THIRUVALLA POLICE STATION.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7156 of 2007

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Dated this the 22nd day of November, 2007

O R D E R

Application for anticipatory bail. The petitioners apprehend arrest on the allegation that they have committed non-bailable offence against Mini, the wife of the first accused, with whom he has contracted a marriage on 7.11.1993. Matrimonial proceedings are pending between the parties. The petitioners are the husband and mother-in-law of the said Mini.

2. The learned Prosecutor, on instructions, submits that the petitioners are not required to be arrested in connection with any crime registered by the police. No complaint has been received from the said Mini and no crime has been registered also. In these circumstances, the petitioners shall not be arrested on the allegations of the said Mini, submits the learned Prosecutor. He further submits that if the petitioners were to be arrested later on the basis of any such allegations of the said Mini of any crime

committed prior to this date, the petitioners shall be informed of such intention to arrest and prior permission of this Court shall be taken.

3. I take note of the submissions of the learned Prosecutor and the undertaking made by him. I am satisfied that the apprehension of the petitioners is, in these circumstances, without any basis.

4. This application is hence dismissed as agreed.

(R. BASANT)
Judge

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